TPU

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

JAN 0 9, 7006

steven D. Girouard et al.

Title:

METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING

TISSUE

Filed:

Docket No.:

279.466US1

N

November 25, 2003

Examiner:

Unknown

Serial No.: 10/723,258

Due Date: N/A

Group Art Unit: 3763

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

X Return postcard.

X Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (3 pgs.), and copies of 11 cited documents.

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

Atty: Janet E. Embretson

Reg. No. 39,665/

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this _____ day of January, 2006.

Name

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Gustav Weathell

(GENERAL)

0/723,258

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Girouard et al. Examiner:

Unknown

Serial No.:

10/723,258

Group Art Unit:

3763

Filed:

November 25, 2003

Docket:

279.466US1

Title:

METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF

LIVING TISSUE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 et. seq., the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

-

Filing Date: November 25, 2003

Title: METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING TISSUE

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

STEVEN D. GIROUARD ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. Box 2938

Zuku-Mahaf

Minneapolis, MN 55402

(612) 373-6912

Date January 5 2006-

Janet E. Embretson

Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450,

gnature

Alexandria, VA 22313-1450, on this ____ day of January, 2006.

In D. Gwew. Wrathall

US Patent & Table 1800E TO DEPARTMENT OF COMMERCI.

US Patent & Table 1800E TO DEPARTMENT OF COMMERCI.

US Patent & Table 1800E TO DEPARTMENT OF COMMERCI.

Substitute for form 1449A/PTO
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use as many regions as recessary)

JAN 0 9 7006
Sheet

Application Number	10/723,258	
Filing Date	November 25, 2003	
First Named Inventor	Girouard, Steven	
Group Art Unit	3763	
Examiner Name	Unknown	

Attorney Docket No: 279.466US1

	US PATENT DOCUMENTS				
Examiner Initial *	USP Document Number	Publication Date			
	US-2002/0049154A1	04/25/2002	Grissom, C. B., et al.	10/22/2001	
	US-2002/0065243A1	05/30/2002	Fung, Yuen K., et al.	01/18/2002	
	US-2002/0072785A1	06/13/2002	Nelson, Chester G., et al.	02/07/2002	
	US-2002/0183720A1	12/05/2002	Hill, I. P., et al.	05/10/2002	
	US-2003/0040777A1	02/27/2003	Shemer, I., et al.	04/03/2002	
	US-2003/0044802A1	03/06/2003	Sayler, Gary S., et al.	09/06/2001	
	US-2003/0059463A1	03/27/2003	Lahtinen, Mika	09/24/2002	
	US-2003/0073235A1	04/17/2003	Lagarias, John C., et al.	05/29/2002	
	US-2003/0082148A1	05/01/2003	Ludwig, Florian, et al.	10/31/2002	
	US-2003/0104568A1	06/05/2003	Lee, Randall J.	11/07/2002	
	US-2003/0113303A1	06/19/2003	Schwartz, Yitzhack	10/28/2002	
	US-2003/0125615A1	07/03/2003	Schwartz, Yitzhack	10/28/2002	
	US-2003/0129750A1	07/10/2003	Schwartz, Yitzhack	10/28/2002	
	US-2003/0130581A1	07/10/2003	Salo, R., et al.	01/04/2002	
	US-2003/0148968A1	08/07/2003	Hammond, H. K., et al.	05/03/2001	
	US-2003/0171723A1	09/11/2003	Ponzi, Dean M.	04/16/2003	
	US-2003/0195470A1	10/16/2003	Ponzi, Dean M.	05/02/2003	
	US-2003/0204206A1	10/30/2003	Padua, R. A., et al.	12/20/2001	
	US-2003/0211130A1	11/13/2003	Sanders, Joan E., et al.	2/24/2003	
	US-2004/0018174A1	01/29/2004	Palasis, Maria	07/18/2003	
	US-2004/0038400A1	02/26/2004	Froehlich, Allan C., et al.	08/26/2002	
	US-2004/0048286A1	03/11/2004	Lee, Richard R.	05/09/2003	
	US-2004/0087019A1	05/06/2004	Orhan, Soykan, et al.	10/24/2003	
	US-2004/0098075A1	05/20/2004	Lee, Randall J.	02/24/2003	
	US-2004/0131601A1	07/08/2004	Epstein, Stephen, et al.	07/10/2003	
	US-2004/0132184A1	07/08/2004	Dennis, Robert G., et al.	09/16/2003	
	US-2004/0158289A1	08/12/2004	Girouard, Steven D., et al.	11/25/2003	
	US-2004/0161421A1	08/19/2004	Komowski, Ran , et al.	02/10/2004	
	US-2004/0213770A1	10/28/2004	Seward, Kirk P., et al.	04/21/2004	
	US-2004/0214182A1	10/28/2004	Sharma, Vinod, et al.	04/25/2003	
	US-2004/0215251A1	10/28/2004	Sharma, Vinod, et al.	04/25/2003	
	US-2004/0253209A1	12/16/2004	Orhan, Soykan, et al.	04/14/2004	
,	US-2005/0005923A1	01/13/2005	Herrin, Ronald J.	07/11/2003	
" -	US-2005/0008628A1	01/13/2005	Feld, Yair , et al.	08/17/2004	
	US-2005/0010492A1	01/24/2002	Donovan, Maura G., et al.	03/05/2001	
	US-2005/0013870A1	01/20/2005	Freyman, Toby, et al.	07/17/2003	
	US-2005/0021091A1	01/27/2005	Laske, Timothy G., et al.	03/11/2004	
	US-2005/0025752A1	02/03/2005	Kutryk, Michael, et al.	04/30/2004	
	US-2005/0059153A1	03/17/2005	George, Frank R., et al.	01/16/2004	
	US-2005/0059999A1	03/17/2005	Mongeon, Luc R., et al.	09/15/2003	

EXAMINER

DATE CONSIDERED

PTO/SB/08A/10-01)
Approved for use through 10/31/2022. OMB 951-0031
US Patent & Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO	Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Application Number	10/723,258
(Use as many sheets as necessary)	Filing Date	November 25, 2003
0. 40	First Named Inventor	Girouard, Steven
US O NAL	Group Art Unit	3763
A MAIL	Examiner Name	Unknown
Sheet 2 of 3	Attorney Docket No: 2	79.466US1

US PATENT DOCUMENTS					
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate	
	US-2005/0096701A1	05/05/2005	Donovan, Maura G., et al.	08/13/2004	
	US-2005/0112759A1	05/26/2005	Radisic, Milica, et al.	06/21/2004	
	US-2005/0118144A1	06/02/2005	Zhang, Jianyi	06/23/2004	
	US-2005/0130136A1	06/16/2005	Lee, Richard T.	11/08/2001	
	US-2005/0137626A1	06/23/2005	Pastore, J. M., et al.	12/19/2003	
	US-2005/0137671A1	06/23/2005	Liu, Lili , et al.	12/23/2003	
	US-2005/0192637A1	09/01/2005	Girouard, S. D., et al.	02/27/2004	
-	US-5,259,380	11/09/1993	Mendes, Emanuel, et al.	11/15/1990	
	US-5,571,151	11/05/1996	Gregory, Kenton W.	10/25/1994	
	US-5,834,029	11/10/1998	Bellamkonda, Ravi , et al.	07/20/1994	
	US-6,059,726	05/09/2000	Lee, Randall J., et al.	09/23/1997	
	US-6,151,525	11/21/2000	Soykan, Orhan, et al.	09/02/1998	
	US-6,156,572	12/05/2000	Bellamkonda, Ravi , et al.	09/25/1998	
	US-6,165,164	12/26/2000	Hill, Irma P., et al.	03/29/1999	
	US-6,428,802	08/06/2002	Atala, Anthony	12/29/1999	
	US-6,540,725	04/01/2003	Ponzi, Dean M.	11/09/2000	
	US-6,575,931	06/10/2003	Ponzi, Dean M.	05/01/2000	
	US-6,592,623	07/15/2003	Bowlin, Gary L., et al.	08/31/1999	
	US-6,623,473	09/23/2003	Ponzi, Dean M.	05/01/2000	
	US-6,623,474	09/23/2003	Ponzi, Dean M.	05/01/2000	
	US-6,671,558	12/30/2003	Soykan, Orhan, et al.	11/03/2000	
	US-6,690,970	02/10/2004	Taheri, Syde A., et al.	10/06/2000	
	US-6,702,777	03/09/2004	Haim, Shlomo B., et al.	07/12/2001	
	US-6,733,996	05/11/2004	Froehlich, Allan C., et al.	08/26/2002	
	US-6,759,236	07/06/2004	Fung, Yuen K., et al.	08/17/1999	
	US-6,775,574	08/10/2004	Soykan, Orhan , et al.	09/01/2000	
	US-6,801,805	10/05/2004	Stokes, Kenneth B., et al.	07/02/2001	
	US-6,810,286	10/26/2004	Donovan, M. G., et al.	03/05/2001	
	US-6,855,124	02/15/2005	Gonzalez, Fernando, et al.	10/02/2002	
	US-6,875,206	04/05/2005	Ponzi, Dean M.	03/31/2003	
	US-6,902,522	06/07/2005	Walsh, Robert G., et al.	06/12/2000	
	US-6,905,476	06/14/2005	Ponzi, Dean M.	01/13/2003	
	US-6,919,207	07/19/2005	Goodman, Reba , et al.	01/25/2001	

	FO	REIGN PATENT I	DOCUMENTS	
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T²
	WO-0249714A2	06/27/2002	Schu, Carl A., et al.	
	WO-04080533A1	09/23/2004	Mika, Y., et al.	
	WO-04093969A1	11/04/2004	Laske, T. G., et al.	

EXAMINER

DATE CONSIDERED

PTO/SB/084(10-01)
Approved for use through 10/31/2002, OMB 651-0031
US Patent & Trademerk Office: U.S. DEPARTMENT OF COMMERCE
on of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO	Under the Paperwork Reduction Aut of 1995, no persons are required to respond to a collection of information unless it collection of the Complete if Known		
INFORMATION DISCLOSURE	Application Number	10/723,258	
STATEMENT BY APPLIDANT (Use as many sheets as necessar)	Filing Date	November 25, 2003	
TROOP.	First Named Inventor	Girouard, Steven	
JAN 0 9 2006 T	Group Art Unit	3763	
VALUE OF THE PARTY	Examiner Name	Unknown	
Sheet 3 of 3	Attorney Docket No: 2	279.466US1	

	FOI	REIGN PATENT I	DOCUMENTS	
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T²
	WO-05084751A2	09/15/2005	Girouard, S. D., et al.	
	WO-2005084751A3	09/15/2005	Girouard, S. D., et al.	
	WO-9925385A1	05/27/1999	Unger, E C., et al.	

	OTHER	R DOCUMENTS NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		BUCHWALD, A B., et al., "Decoy Oligodeoxynucleotide Against Activator	ļ
		Protein-1 Reduces Neointimal Proliferation After Coronary Angioplasty in	
		Hypercholesterolemic Minipigs", Journal of the American College of Cardiology,	
		39 (4), (Feb. 20, 2002),732-738	.
		DAUM, DOUGLAS R., "SYSTEMS AND METHODS FOR HYPOTENSION",	
		Application Serial No. 11/141,260, filed May 31, 2005, Attorney Docket No.	
		279.968us1, 51 pages	
		PASTORE, JOSEPH M., et al., "METHOD AND APPARATUS FOR DEVICE	
		CONTROLLED GENE EXPRESSION FOR CARDIAC PROTECTION", US	
		Patent Application Ser. No. 11/220,397, filed September 6, 2005 (Attorney	
		Docket No. 2279.955us1), 68 Pgs.	
		PATBERG, KORNELIS W., "Cardiac Memory Is Associated With Decreased	
		Levels of the Transcriptional Factor CREB Modulated by Angiotensin II and	
		Calcium", Circulation Research, Vol. 93, (2003),472-478	
		ZOU, Y., et al., "Heat Shock Transcription Factor 1 Protects Cardiomyocytes	
		From Ischemia/Reperfusion Injury", Circulation, 108 (24) ISSN: 1524-4539	
		XP002345863, (12/16/2003),3024-3030	